

JONES DAY
Robert W. Gaffey
Jayant W. Tambe
William J. Hine
222 East 41st Street
New York, New York 10017
Telephone: (212) 326-3939
Facsimile: (212) 755-7306

Attorneys for Lehman Brothers Holdings Inc.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
	:	
In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
-----	X	
	:	
In re	:	
	:	
LEHMAN BROTHERS INC.,	:	Case No. 08-01420 (JMP) SIPA
	:	
Debtor.	:	
-----	X	
	:	
LEHMAN BROTHERS HOLDINGS INC.,	:	
	:	
Plaintiff,	:	
v.	:	Adv. Proc. No. 09-01731 (JMP)
	:	
BARCLAYS CAPITAL, INC.,	:	
	:	
Defendant.	:	
-----	X	

**LEHMAN BROTHERS HOLDINGS INC.'S STATEMENT OF ISSUES PRESENTED
AND DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON ITS
APPEALS OF THE COURT'S ORDERS ENTERED JULY 15, 2011**

Lehman Brothers Holdings Inc. ("LBHI" and, together with its affiliated chapter 11
debtors, the "Debtors"), by and through its undersigned counsel, pursuant to Federal Rule of

Bankruptcy Procedure 8006, hereby submits its statement of issues presented, and designation of items to be included in the record, on its appeals from (i) the Order Denying Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief, dated July 15, 2011, entered in the above captioned Chapter 11 and SIPA proceedings on July 15, 2011, and (ii) the Order Dismissing Count III, Count IV, Count V, Count VI and Count IX in Lehman Brothers Holdings Inc. Adversary Complaint, dated July 15, 2011, entered in the above-captioned adversary proceeding on July 15, 2011 (the “Orders”), deciding issues raised in, *inter alia*, Debtor’s Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Further Relief (“LBHI’s Rule 60(b) Motion”) and LBHI’s Adversary Complaint.

LBHI reserves its right to designate additional items for inclusion in the record and/or restate issues presented on appeal if any motions are granted subsequent to the filing of this designation which affect the Orders. For items designated, the designation includes all documents referenced including, without limitation, all exhibits, attachments, appendices, notices, declarations, and affidavits related thereto. Due to the bulk of the documents designated as Additional Materials below, pursuant to Local Bankruptcy Rule 8007-1(b), counsel for LBHI shall retain the Additional Materials and shall permit their inspection by any party for the purpose of preparing the record on appeal and shall be charged with the responsibility for their safekeeping and transportation to the appellate court.

STATEMENT OF ISSUES ON APPEAL

1. Whether, in denying LBHI’s Rule 60(b) Motion, the Bankruptcy Court applied an inappropriate standard under Fed. R. Civ. P. 60(b), by, among other things:

- a. Finding that final sale orders issued pursuant to Section 363 of the Bankruptcy Code “fall[] within a select category of court order that may be worthy of

greater protection from being upset by later motion practice” under Fed. R. Civ. P. 60(b) and that bankruptcy sale orders “should not be disturbed or subjected to challenge under Rule 60(b) unless there are truly special circumstances that warrant judicial [...] relief from the binding effect of such orders” and denying Rule 60(b) relief even though the Bankruptcy Court found that “some very significant information was left out of the record” and there was a “glaring problem of flawed disclosure[s]” in the proceedings leading up to the issuance of the Sale Order (Opinion on Motions Seeking Modification of the Sale Order Pursuant to Rule 60(B), the Trustee’s Motion For Relief Under the SIPA Sale Order, Barclays’ Cross-Motion to Enforce the Sale Orders and Adjudication of Related Adversary Proceedings, so ordered on February 22, 2011 [LBHI Docket No. 14612] (the “Opinion”) at 5-6);

- b. Denying relief unless LBHI proved “something greater than ordinary mistake or inadvertence” (Opinion at 6);
- c. Failing to decide whether LBHI had a right to relief on the basis of mistaken, inadvertent, or otherwise innocent non-disclosure of material information, when the Court also found, *inter alia*, that had the same failures to disclose been the result of “fraud, misrepresentation or misconduct” then “relief under Rule 60(b) in all likelihood would have been granted” (Opinion at 7);
- d. Denying relief unless LBHI proved that any failure to disclose material information “involve[d] fraud, misrepresentation, or misconduct” (Opinion at 7); and

- e. requiring LBHI to meet a “strict ‘shocks the conscience’ standard” and to produce new evidence that would have “changed the outcome of the Sale Hearing or altered the form and content of the Sale Order” (Opinion at 7, 60).

2. Whether the Bankruptcy Court erred by applying an inappropriate standard under Fed. R. Civ. P. 60(b)(3), i.e. by requiring the Movants to show that the outcome of the Sale Hearing would have been different if all material facts (including those related to the structure of the transaction and the value of the acquired assets) had been disclosed in the proceedings upon which the Sale Order was based, when the Bankruptcy Court also found that material and fundamental terms of the transaction the Court had been asked to approve were not, in fact, disclosed, and the Sale Transaction that actually closed was materially different from the Sale Transaction that the Court had approved.

3. Whether the Bankruptcy Court erred in retroactively deeming the “Clarification Letter” approved, where, among other things:

- a. Counsel had informed the Bankruptcy Court that the Court would be presented with the Clarification Letter but the Clarification Letter was not submitted for approval;
- b. The Bankruptcy Court had directed the proponents of the Sale Order to seek approval of any material changes to the Sale Order prior to closing;
- c. The Bankruptcy Court expressly found that it had not approved the Clarification Letter;
- d. The Clarification Letter made after-the-fact and material changes to the transaction approved through the Sale Order that were, as the Bankruptcy Court found, *inter alia*:

- i. “important additions or alterations”;
- ii. “either radically different from anything presented at the Sale Hearing or in actual conflict with statements during that hearing”;
and
- iii. “amount[ed] to a vital side letter or amendment to the APA – that makes major changes to the structure of the acquisition and that affects property rights of entities that quite obviously are subject to the Court’s jurisdiction under the Bankruptcy Code and provisions of the Securities Investor Protection Act of 1970 (“SIPA”)”
(Opinion at 7-8).

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD

PREVIOUSLY FILED MATERIALS:

Case Number, Docket Number	Docket Date	Description
Case No. 08-13555, 258	09/20/2008	Order Signed on 9/20/2008 Authorizing and Approving (A) the Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases
Case No. 08-1355, 3596	5/18/2009	LBHI's Application for FRBP 2004 Examination Motion of Debtor and Debtor in Possession for an Order, Pursuant to Fed. R. Bankr. P. 2004, Authorizing Discovery from Barclays Capital, Inc.
Case No. 08-1355, 3776	6/5/2009	Barclays' Objection to Motion for an Order Under Rule 2004 Authorizing Discovery of Barclays Capital Inc.
Case No. 08-1355, 3778	6/5/2009	Response of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al. to Debtors Motion for an Order, Pursuant to Fed. R. Bankr. P. 2004, Authorizing Discovery from Barclays Capital, Inc.
Case No. 08-1355, 4067	6/22/2009	LBHI's Reply in Further Support of Its Motion for an Order, Pursuant to Fed. R. Bankr. P. 2004, Authorizing Discovery from Barclays Capital, Inc.
Case No. 08-1355, 4074	6/22/2009	Trustee's Statement Regarding Motion of Debtor and Debtor in Possession for an Order Pursuant to Fed. R. Bankr. P. 2004 Authorizing Discovery from Barclays Capital Inc.
Case No. 08-1355, 4093	6/23/2009	Objection of Barclays Capital Inc. to Proposed Joinders in Debtors Motion for an Order Under Rule 2004 Authorizing Discovery of Barclays Capital Inc.
Case No. 08-1355, 4164	6/25/2009	Order Signed on 6/25/2009 Authorizing Discovery from Barclays Capital, Inc.
Case No. 08-1355, 5168	9/15/2009	LBHI's Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief (filed under seal)
Case No. 08-1355, 5173	9/15/2009	Trustee's Joinder in Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-01420, 1690	9/15/2009	Trustee's Motion for Relief Pursuant to the Sale Order or, Alternatively, for Certain Limited Relief Under Rule 60(b) (filed under seal)

Case Number, Docket Number	Docket Date	Description
Case No. 08-01420, 1694	9/15/2009	Motion of Official Committee Of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., Pursuant to 11 U.S.C. Section 105(A), Fed. R. Civ. P. 60(B), and Fed. R. Bankr. P. 9024, for Relief From Order Under 11 U.S.C. Sections 105(A), 363, and 365 and Federal Rules of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) and Joinder in Debtors and SIPA Trustees Motions for an Order Under Rule 60(B) to Modify Sale Order (filed under seal)
Case No. 08-01420, 1702	9/16/2009	Motion of Lehman Brothers Holdings Inc., Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the SIPA Sale Order and Joinder in Official Committee of Unsecured Creditors Motion for Relief from SIPA Sale Order
Case No. 08-1355, 5481 Case No. 08-01420, 1940	10/14/2009	So Ordered Stipulation and Order Signed on 10/14/2009 Between the Debtors, Trustee, Committee and Barclays Capital Inc. Concerning the Discovery Parties Unsealing Motions
Case No. 08-1355, 5514	10/15/2009	LBHI's Notice of Filing of Unsealed Debtors Rule 60 Motion and Related Appendixes (attaching unsealed brief)
Case No. 08-1355, 5515	10/15/2009	Unsealed Appendix (Volume I, Part 1) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-1355, 5517	10/15/2009	Unsealed Appendix (Volume I, Part 2) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-1355, 5521	10/15/2009	Unsealed Appendix (Volume II) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-1355, 5525	10/15/2009	Unsealed Appendix (Volume III) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-1355, 5527	10/15/2009	Unsealed Appendix (Volume IV) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief

Case Number, Docket Number	Docket Date	Description
Case No. 08-1355, 5528	10/15/2009	Unsealed Appendix (Volume V) to Debtors Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-1355, 5531 Case No. 08-01420, 1960	10/15/2009	Notice of Filing of Unsealed Committee Rule 60 Motion And Related Appendixes (attaching unsealed brief)
Case No. 08-1355, 5532 Case No. 08-01420, 1962	10/16/2009	Unsealed Appendix Volume I to Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., Pursuant to 11 U.S.C. Section 105(a), Fed. R. Civ. P. 60(b), and Fed. R. Bankr. P. 9024, for Relief from Order Under 11 U.S.C. Sections 105(a), 363, and 365 and Federal Rules Of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment Of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) and Joinder in Debtors and SIPA Trustees Motions for an Order Under Rule 60(b) to Modify Sale Order
Case No. 08-1355, 5533 Case No. 08-01420, 1963	10/16/2009	Unsealed Appendix Volume II to Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., Pursuant to 11 U.S.C. Section 105(a), Fed. R. Civ. P. 60(b), and Fed. R. Bankr. P. 9024, for Relief from Order Under 11 U.S.C. Sections 105(a), 363, and 365 and Federal Rules Of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment Of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) and Joinder in Debtors and SIPA Trustees Motions for an Order Under Rule 60(b) to Modify Sale Order

Case Number, Docket Number	Docket Date	Description
Case No. 08-1355, 5534 Case No. 08-01420, 1964	10/16/2009	Appendix Volume III to Motion of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., Pursuant to 11 U.S.C. Section 105(a), Fed. R. Civ. P. 60(b), and Fed. R. Bankr. P. 9024, for Relief from Order Under 11 U.S.C. Sections 105(a), 363, and 365 and Federal Rules Of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment Of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (and Related SIPA Sale Order) and Joinder in Debtors and SIPA Trustees Motions for an Order Under Rule 60(b) to Modify Sale Order
Case No. 08-01420, 1971	10/16/2009	Notice of Filing of Unsealed Trustees Rule 60(b) Motion and Related Declarations and Exhibits (attaching unsealed brief)
Case No. 08-01420, 1972	10/16/2009	Notice of Filing of Unsealed Declaration of James B. Kobak, Jr., in Support of the Trustees Motion for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) (attaching unsealed Declaration)
Case No. 08-01420, 1977	10/16/2009	Notice of Filing of Unsealed Declaration of William R. Maguire in Support of the Trustees Motion for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) (attaching unsealed Declaration and Exhibits)
Adv. Proc. No. 09-01731, 1	11/16/2009	LBHI's Adversary Complaint
Adv. Proc. No. 09-01731, 4	1/13/2010	Stipulation and Order Between the Debtors, Trustee, Committee and Barclays Capital Inc. Concerning Certain Claims Made in Adversary Complaints Filed by LBHI, SIPA Trustee and Creditors Committee
Case No. 08-1355, 6815 Case No. 08-01420, 2582	01/29/2010	Memorandum of Barclays Capital Inc. in Opposition to the Rule 60 Motions and in Support of Motion of Barclays Capital Inc. to Enforce the Sale Order and Secure Delivery of All Undelivered Assets
Case No. 08-1355, 7641 Case No. 08-01420, 2843	3/18/2010	LBHI's Reply Brief in Further Support of Its Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief and in Opposition to Barclays Motion to Enforce the Sale Order and Secure Delivery of All Undelivered Assets (portions filed under seal)

Case Number, Docket Number	Docket Date	Description
Case No. 08-01420, 2847	3/18/2010	Trustee's Memorandum in Further Support of His Motion for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b) and in Opposition to the Motion of Barclays Capital Inc. to Enforce the Sale Orders and Secure Delivery of All Undelivered Assets
Case No. 08-1355, 7667 Case No. 08-01420, 2857	3/18/2010	Memorandum of Law of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., (I) In Opposition to Motion of Barclays Capital Inc. to Enforce Sale Order and Secure Delivery of All Undelivered Assets and (II) In Further Support of Its Motion, Pursuant to 11 U.S.C. Section 105(A), Fed. R. Civ. P. 60(B), and Fed. R. Bankr. P. 9024, for Relief From Order Under 11 U.S.C. Sections 105(A), 363, and 365 and Federal Rules of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (a) Sale of Purchased Assets Free and Clear of Liens and Other Interests and (b) Assumption and Assignment of Executory Contracts and Unexpired Leases, Dated September 20, 2008 (And Related SIPA Sale Order)
Case No. 08-1355, 8059 Case No. 08-01420, 2994	4/5/2010	Notice of Filing of Unsealed Debtor's Reply Brief in Further Support of Its Rule 60 Motion and Related Appendix of Expert Reports (attaching unsealed brief)
Case No. 08-1355, 8062 Case No. 08-01420, 2995	4/5/2010	Unsealed Appendix (Volume VII) to Debtor's Reply Brief in Further Support of Its Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Case No. 08-01420, 2989	4/5/2010	Statement of the Securities Investor Protection Corporation in Support of Trustees Motion for Relief Pursuant to the Sale Orders or, Alternatively, For Certain Limited Relief Under Rule 60(b)
Case No. 08-1355, 8076 Case No. 08-01420, 2996	4/5/2010	Reply Memorandum Of Barclays Capital Inc. In Further Support Of Motion Of Barclays Capital Inc. To Enforce The Sale Order And Secure Delivery Of All Undelivered Assets
Case No. 08-1355, 9768 Case No. 08-01420, 3409	6/23/2010	So Ordered Stipulation and Order Signed on 6/23/2010 Regarding Deposition Designations
Case No. 08-1355, 10377 Case No. 08-01420, 3505	7/22/2010	So Ordered Stipulation and Order Signed on 7/22/2010 Regarding Correction to Deposition Designations
Case No. 08-1355, 12207	10/20/2010	So Ordered Stipulation and Order Signed on 10/20/2010 Regarding Admission of Exhibits
Case No. 08-1355, 12210	10/20/2010	So Ordered Stipulation and Order Signed on 10/20/2010 Regarding Admission of Exhibits
Case No. 08-1355, 12950 Case No. 08-01420, 3909	11/22/2010	LBHIs Post-Trial Memorandum and Proposed Findings of Fact and Conclusions of Law

Case Number, Docket Number	Docket Date	Description
Case No. 08-01420, 3911	11/22/2010	Post-Hearing Brief of James W. Giddens, as Trustee for the SIPA Liquidation of Lehman Brothers Inc.
Case No. 08-01420, 3912	11/22/2010	Post-Hearing Statement of the Securities Investor Protection Corporation in Support of the Trustees Motion for Relief Pursuant to the Sale Orders or, Alternatively, for Certain Limited Relief Under Rule 60(b)
Case No. 08-1355, 12961 Case No. 08-01420, 3914	11/22/2010	Post-Trial Brief of the Securities and Exchange Commission
Case No. 08-1355, 12970 Case No. 08-01420, 3916	11/22/2010	Post-Trial Memorandum of Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al., (I) In Support of (A) Committees Motion, Pursuant To 11 U.S.C. Sec 105(a), Fed. R. Civ. P. 60(b), And Fed. R. Bankr. P. 9024, For Relief From September 19 Sale Orders, (B) Relief on Count I Through Count III of Committees Adversary Complaint, and (C) Committees Proposed Findings of Fact and Conclusions of Law and (II) In Opposition to Motion of Barclays Capital Inc. to Enforce Sale Order and Secure Delivery of All Undelivered Assets
Case No. 08-1355, 12971 Case No. 08-01420, 3917	11/22/2010	Post-Trial Memorandum of Law and Fact of Barclays Capital Inc.
Case No. 08-1355, 12956 Case No. 08-01420, 3913	11/22/2010	So Ordered Stipulation and Order Signed on 11/22/2010 Concerning Designations
Case No. 08-1355, 13062 Case No. 08-01420, 3927	11/29/2010	So Ordered Stipulation and Order Signed on 11/29/2010 Concerning Official Transcripts and Audio-Recordings of Proceedings
Case No. 08-1355, 13233 Case No. 08-01420, 3951	12/06/2010	Notice of Filing Designated Deposition Testimony and Exhibit Chart
Case No. 08-1355, 13517 Case No. 08-01420, 3987	12/16/2010	Clarification letter concerning Post-Trial Brief of the Securities and Exchange Commission
Case No. 08-1355, 13825 Case No. 08-01420, 4021	1/6/2011	So Ordered Stipulation and Order Signed on 1/6/2011 Concerning Stipulations
Case No. 08-1355, 14612 Case No. 08-01420, 4105	02/22/2011	Opinion Signed on 2/22/2011 Regarding Motions Seeking Modification of the Sale Order Pursuant to Rule 60(b), the Trustees Motion for Relief Under the SIPA Sale Order, Barclays Cross-Motion to Enforce the Sale Orders and Adjudication of Related Adversary Proceedings
Case No. 08-1355, 18539 Case No. 08-01420, 4406	7/15/2011	Order signed on 7/15/2011 Denying Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief
Adv. Proc. No. 09-01731, 11	7/15/2011	Order signed on 7/15/2011 Dismissing Count III, Count IV, Count V, Count VI and Count IV in Lehman Brothers Holdings Inc. Adversary Complaint

Case Number, Docket Number	Docket Date	Description
Case No. 08-1355, 18844 Case No. 08-01420, 4444	7/28/2011	LBHI's Notice of Appeal from the Order Denying Motion for an Order, Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024, Modifying the September 20, 2008 Sale Order and Granting Other Relief, dated July 15, 2011
Adv. Proc. No. 09-01731, 14	7/28/2011	LBHI's Notice of Appeal from the Order Dismissing Count III, Count IV, Count V, Count VI and Count IV in Lehman Brothers Holdings Inc. Adversary Complaint

ADDITIONAL MATERIALS:

Document Date	Description
Hearing Transcripts	
6/24/2009	Veritext Transcript of Hearing re Motion Authorizing Discovery from Barclays Capital, Inc.
4/9/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
4/26/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
4/27/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
4/28/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
4/29/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
4/30/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
5/3/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
5/4/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
5/5/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
5/6/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
5/7/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
6/14/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
6/21/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
6/22/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
6/25/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing

Document Date	Description
8/23/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
8/24/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
8/25/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
8/27/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
8/30/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
8/31/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/2/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/7/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/8/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/10/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/20/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/21/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/28/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/29/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
9/30/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/4/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/5/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/6/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/7/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/8/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/18/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing
10/21/2010	Corrected Veritext Transcript and Audio-Recording of Evidentiary Hearing

Document Date	Description
Trial Exhibits	
10/26/2010	<p>Letter from R. Gaffey to Hon. James M. Peck, U.S.B.J. (submitting and indexing Movants' admitted trial exhibits).</p> <p>Movants' Exhibits 1-4, 6-12, 14-27, 30-48, 50-97, 100-157, 159-167, 169, 173-194, 196-312, 314-348, 350-352, 354-360, 362-363, 365-367, 369-406, 408-415, 417-432, 434-439, 442-478, 480-485, 487-498, 500-558, 560-642, 644, 646-660, 662-670, 672, 675, 677-692, 694-696, 698-706, 713-717, 719-720, 724-733, 735-736, 738-743, 745-748, 752-754, 766, 768, 770-771, 773-775, 777-778, 780, 782, 784-785, 787-788, 790, 792-793, 795, 797-801, 804-819, 821-825, 844-846, 848-852, 856, 859-860, 863, 872-874, 876, 883, 885-890, 909-910, 913, 916-917, 920-921, 928, 930, 958, 962.</p>
11/16/2010	<p>Letter from H. Hume to Hon. James M. Peck, U.S.B.J. (submitting and indexing Barclays' admitted trial exhibits).</p> <p>BCI Exhibits 1-20, 22-26, 29-34, 36-43, 46-53, 102-104, 106-107, 109a-121, 123-124, 130-134, 136-140, 142-147, 149-173, 179-183, 187-191, 191c, 192-194, 196, 198-201, 203-204, 206-219, 220-270, 273-303, 309, 312-314, 316-318, 320-321, 323-326, 328-336, 340-341, 346, 353, 356, 362, 365, 372, 375-377, 379-391, 393-405, 407-417, 419-442, 445-466, 468-502, 504-520, 524, 528-535, 536-550, 567-573, 576-579, 581-583, 585-593, 596-597, 600-601, 604-605, 607, 612-613, 615-616N, 618-619, 623-629, 639-643, 645-646, 648-650b, 652-656, 658, 667-670, 672, 674-676, 678-716, 724, 727-730, 731a, 733a-779, 782-814, 816-825, 827, 829-839, 843-844, 846-858, 860-871, 874-877, 879-884, 887-899, 905-906, 908-960, 962-963, 968-979, 982-997, 999-1001a, 1002a, 1005-1015, 1017-1048, 1050-1057, 1059-1069, 1072-1093, 1095-1104, 1106-1108.</p>

Dated: August 11, 2011
New York, New York

s/ William J. Hine
Robert W. Gaffey
Jayant W. Tambe
William J. Hine
JONES DAY
222 East 41st Street
New York, New York 10017
Telephone: (212) 326-3939
Facsimile: (212) 755-7306

Attorneys for Lehman Brothers Holdings Inc.